

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

ERIC MESI AND BETTY MESI,

Plaintiffs,

VS.

JPMORGAN CHASE BANK et al.,

Defendants.

3:15-cv-00555-RCJ-WGC

ORDER

This case arises out of a disputed property foreclosure. Plaintiffs allege that Defendants violated numerous state and federal laws by engaging in fraudulent and unfair practices. On October 10, 2016, the Court dismissed the Amended Complaint, with leave to amend all but one within thirty days. (*See* ECF No. 53). It also denied Plaintiffs' motion for summary judgment, several motions to strike, and various other motions. (*Id.*). Plaintiff has appealed, and the Court of Appeals has referred the case to the Court to determine whether in forma pauperis should continue on appeal.

The Court finds that in forma pauperis status should not continue on appeal, as the appeal is frivolous. *See* 28 U.S.C. § 1915(a)(3); *Hooker v. American Airlines*, 302 F.3d 1091, 1092 (9th Cir. 2002) (revocation of in forma pauperis status is appropriate where a district court finds the appeal to be frivolous). It is not clear what Plaintiffs are appealing. Presumably, they are appealing the Court’s order dismissing their claims. The Court dismissed all but one of their claims, which were difficult to decipher, because they contained only conclusory allegations or vague and insufficient facts. The Court granted Plaintiffs leave to amend those claims. The Court dismissed Plaintiffs’ other claim—deceptive and unfair trade practices—because the applicable

1 Nevada statutes do not apply to real property transactions. The Court determined that amendment
2 could not cure the claim; thus, it dismissed the claim with prejudice.

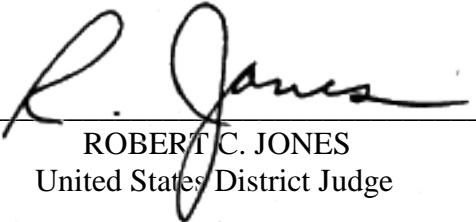
3 The Court also denied Plaintiffs' motion for summary judgment because it "merely
4 contains a recitation of some of its claims, raises new claims, and randomly cites case law and
5 statutes. The motion presents few, if any, relevant arguments to support its motion for summary
6 judgment." (Order, 13, ECF No. 53). Plaintiffs' appeal is frivolous and, thus, *in forma pauperis*
7 status should not continue on appeal.
8

9 **CONCLUSION**

10 IT IS HEREBY ORDERED that *in forma pauperis* status shall not continue on appeal.
11

12 IT IS SO ORDERED.
13

Dated this 13th day of May, 2016.

14 
15 ROBERT C. JONES
16 United States District Judge